IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

APPEAL FROM ORDER NO.1122 OF 2005

WITH

CIVIL APPLICATION NO.1383 OF 2005

Vilas Martandrao Pekhale. ...Appellant.

Vs.

Chetan Arvind Bhagat. ...Respondents.

.....

Mr.P.L. Bhujbal for the Appellant.

.....

CORAM : DR.D.Y.CHANDRACHUD, J.

December 19, 2005.

P.C. :

In declining to grant interim relief, the Trial Court has relied upon two circumstances, namely, (i) that there is admittedly no written document by which the suit property was agreed to be sold; and (ii) there is not even a receipt reflecting payment of earnest money deposit. No case for interim relief is made out. The appeal is dismissed.

In view of the disposal of the appeal, the Civil Application does not survive and is accordingly disposed of.

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